

Coast Guard, DHS

§ 25.26-5

closely as possible to the shoulder area of the item.

[CGD 76-028, 44 FR 38783, July 2, 1979, as amended by CGD 82-075a, 49 FR 4483, Feb. 7, 1984]

§ 25.25-17 Survival craft requirements for uninspected passenger vessels of at least 100 gross tons.

(a) Each uninspected passenger vessel of at least 100 gross tons must have adequate survival craft with enough capacity for all persons aboard and must meet one of the following requirements:

(1) An inflatable liferaft must be approved under 46 CFR part 160, subparts 160.051 or 160.151, and be equipped with an applicable equipment pack or be approved by another standard specified by the Commandant. Inflatable liferafts must be serviced at a servicing facility approved under 46 CFR part 160, subpart 160.151.

(2) An inflatable buoyant apparatus must be approved under 46 CFR part 160, subpart 160.010 or under another standard specified by the Commandant. An inflatable buoyant apparatus must be serviced at a servicing facility approved under 46 CFR part 160, subpart 160.151.

(b) If the vessel carries a small boat or boats, the capacity of the small boat or boat(s) may be counted toward the survival craft capacity required by this part. Such small boat or boat(s) must meet the requirements for safe loading and flotation in 33 CFR part 183.

[USCG-1999-5040, 67 FR 34776, May 15, 2002]

§ 25.25-19 Visual distress signals.

Each uninspected passenger vessel must meet the visual distress signal requirements of 33 CFR part 175 applicable to the vessel.

[USCG-1999-5040, 67 FR 34776, May 15, 2002]

Subpart 25.26—Emergency Position Indicating Radio Beacons (EPIRB)

SOURCE: CGD 87-016a, 58 FR 13367, Mar. 10, 1993, unless otherwise noted.

§ 25.26-1 Definitions.

As used in this subpart:

Berthing space means a space that is intended to be used for sleeping and is provided with installed bunks and mattresses.

EPIRB means an Emergency Position Indicating Radiobeacon which is Type Accepted by the Federal Communications Commission under requirements in 47 CFR parts 2 and 80.

Galley means a space that provides for the preparation and extended storage of food. This does not include small alcohol or propane stoves with limited cooking capability, or ice chests or similar devices that are intended for keeping small quantities of food for short durations.

High seas means the waters beyond a line three nautical miles seaward of the Territorial Sea Baseline as defined in 33 CFR 2.20.

Length means the length listed on a vessel's Certificate of Documentation or Certificate of Number.

Uninspected passenger vessel means a vessel which, when used for commercial service, is used solely to carry passengers for hire or to provide non-emergency assistance to boaters (assistance towing), and which is not inspected by the Coast Guard under any other 46 CFR subchapter.

NOTE: As an example, a vessel on a voyage involving catching fish which are to be sold, is a commercial fishing industry vessel for the purposes of the EPIRB regulations in this section, even if there are passengers on board during the voyage.

[CGD 87-016a, 58 FR 13367, Mar. 10, 1993, as amended by USCG-2007-29018, 72 FR 53964, Sept. 21, 2007]

§ 25.26-5 Commercial fishing industry vessels.

(a) The owner of a fishing vessel, a fish processing vessel, or a fish tender vessel, 11 meters (36 feet) or more in length, except for vessels described in paragraph (b) or (c) of this section, shall ensure that the vessel does not operate on the high seas or beyond three miles from the coastline of the Great Lakes unless it has on board a float-free, automatically activated Category 1 406 MHz EPIRB stowed in a manner so that it will float-free if the vessel sinks.

§ 25.26-10

(b) The owner of a fishing vessel, fish processing vessel, or a fish tender vessel less than 11 meters (36 feet) in length, or 11 meters or more in length which has a builder's certification that the vessel is constructed with sufficient inherently buoyant material to keep the flooded vessel afloat, shall ensure that the vessel does not operate on the high seas or beyond three miles from the coastline of the Great Lakes, unless it has installed in a readily accessible location at or near the principal steering station—

(1) A manually activated Category 2 406 MHz EPIRB; or

(2) A float-free, automatically activated Category 1 406 MHz EPIRB.

(3) Until February 1, 1998, a 121.5/243.0 MHz EPIRB meeting § 25.26-30.

(c) The owner of a fishing vessel, fish processing vessel or a fish tender vessel 11 meters (36 feet) or more in length that does not have installed galley or berthing facilities, shall ensure that the vessel does not operate on the high seas or beyond three miles from the coastline of the Great Lakes unless it has on board a float-free, automatically activated Category 1 406 MHz EPIRB stowed in a manner so that it will float free if the vessel sinks.

[CGD 87-016a, 58 FR 13367, Mar. 10, 1993; 58 FR 27658, May 11, 1993, as amended by CGD 95-028, 62 FR 51196, Sept. 30, 1997; USCG-1998-4442, 63 FR 52189, Sept. 30, 1998]

§ 25.26-10 EPIRB requirements for uninspected passenger vessels.

(a) Uninspected passenger vessels less than 100 gross tons are not required to carry an EPIRB.

(b) The owner, operator, or master of an uninspected passenger vessel of at least 100 gross tons must ensure that the vessel does not operate beyond three miles from shore as measured from the territorial sea baseline seaward or more than three miles from the coastline of the Great Lakes, unless it has onboard a float-free, automatically activated Category 1 406 MHz EPIRB stowed in a manner so that it will float free if the vessel sinks.

[USCG-1999-5040, 67 FR 34776, May 15, 2002]

46 CFR Ch. I (10-1-18 Edition)

§ 25.26-20 Other manned uninspected commercial vessels.

(a) The owner of a manned uninspected commercial vessel 11 meters (36 feet) or more in length, other than a vessel under § 25.26-5 or § 25.26-10 or under paragraph (b) of this section, shall ensure that the vessel does not operate on the high seas or beyond three miles from the coastline of the Great Lakes, unless it has on board a float-free, automatically activated Category 1 406 MHz EPIRB stowed in a manner so that it will float free if the vessel sinks.

(b) The owner of a manned uninspected commercial vessel less than 11 meters (36 feet) in length, or 11 meters or more in length which has a builder's certification that the vessel is constructed with sufficient inherently buoyant material to keep the flooded vessel afloat, shall ensure that the vessel does not operate on the high seas or beyond three miles from the coastline of the Great Lakes, unless it has installed in a readily accessible location at or near the principal steering station—

(1) A manually activated Category 2 406 MHz EPIRB; or

(2) A float-free, automatically activated Category 1 406 MHz EPIRB.

[CGD 87-016a, 58 FR 13367, Mar. 10, 1993; 58 FR 27658, May 11, 1993, as amended by CGD 95-028, 62 FR 51196, Sept. 30, 1997; USCG-1998-4442, 63 FR 52189, Sept. 30, 1998]

§ 25.26-50 Servicing of EPIRBs.

(a) The master of each vessel required to have an EPIRB under this subpart shall ensure that each EPIRB on board is tested and serviced as required by this section.

(b) The EPIRB must be tested immediately after installation and at least once each month thereafter, unless it is an EPIRB installed in a Coast Guard approved inflatable liferaft that is tested annually during the servicing of the liferaft by an approved servicing facility. The test shall be conducted in accordance with the manufacturer's instructions, using the visual or audio indicator on the EPIRB. If the EPIRB is not operating, it must be repaired or replaced with an operating EPIRB.

(c) The battery of the EPIRB must be replaced—

Coast Guard, DHS

§ 25.30–10

(1) Immediately after the EPIRB is used for any purpose other than being tested; and

(2) Before the expiration date that is marked on the battery.

[CGD 87–016a, 58 FR 13367, Mar. 10, 1993; 58 FR 27658, May 11, 1993]

§ 25.26–60 Exemptions.

(a) A skiff or work boat is not required to carry an EPIRB if—

(1) Its “mother ship” is required to carry an EPIRB under this subpart; and

(2) When not in use, the skiff or work boat is carried on board the mother ship.

(b) Each Coast Guard District Commander may, on a case-by-case basis, grant exemptions from the carriage requirements of EPIRBs in this subpart for certain geographic areas within the boundaries of his or her own district if the District Commander determines that an EPIRB will not significantly enhance the overall safety of the vessel and crew. Exemptions may be limited to specific time periods. Exemptions granted under this paragraph must be:

(1) Issued in writing by the cognizant Coast Guard District Commander for each individual application; and

(2) For geographic locations and may be limited to specific time periods.

Subpart 25.30—Fire Extinguishing Equipment

§ 25.30–1 Applicability.

(a) The provisions of this subpart, with the exception of §§ 25.30–80 and 25.30–90 of this subpart, as applicable, apply to all vessels contracted for on or after August 22, 2016.

(b) Vessels contracted for prior to August 22, 2016 and after November 19, 1952, must meet the requirements of 46 CFR 25.30–80.

(c) Vessels contracted for prior to November 19, 1952, must meet the requirements of 46 CFR 25.30–90.

[USCG–2012–0196, 81 FR 48245, July 22, 2016]

§ 25.30–5 General provisions.

(a) Where equipment in this subpart is required to be of an approved type, such equipment requires the specific approval of the Commandant. Such ap-

provals are published in the FEDERAL REGISTER, and in addition, are contained in Coast Guard publication COMDTINST M16714.3 (Series), Equipment Lists.

(b) All hand portable fire extinguishers, semiportable fire extinguishing systems, and fixed fire extinguishing systems shall be of an approved type.

[CGFR 65–50, 30 FR 16653, Dec. 30, 1965, as amended by CGD 96–041, 61 FR 50726, Sept. 27, 1996]

§ 25.30–10 Portable fire extinguishers and semi-portable fire extinguishing systems.

(a) Portable and semi-portable extinguishers must be inspected and maintained in accordance with NFPA 10 (incorporated by reference, see § 25.01–3).

(b) Certification or licensing by a state or local jurisdiction as a fire extinguisher servicing agency will be accepted by the Coast Guard as meeting the personnel certification requirements of NFPA 10 for annual maintenance and recharging of extinguishers.

(c) Monthly inspections required by NFPA 10 may be conducted by the owner, operator, person-in-charge, or a designated member of the crew.

(d) Non-rechargeable or non-refillable extinguishers must be inspected and maintained in accordance with NFPA 10; however, the annual maintenance need not be conducted by a certified person and can be conducted by the owner, operator, person-in-charge, or a designated member of the crew.

(e) The owner or managing operator must provide satisfactory evidence of the required servicing to the marine inspector. If any of the equipment or records has not been properly maintained, a qualified servicing facility must perform the required inspections, maintenance procedures, and hydrostatic pressure tests. A tag issued by a qualified servicing organization, and attached to each extinguisher, may be accepted as evidence that the necessary maintenance procedures have been conducted.

(f) Vaporizing-liquid type fire extinguishers containing carbon tetrachloride, chlorobromomethane, or other toxic vaporizing liquids are not